

JUL 29 2004

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,163	02/03/2004	Wilmer L. Sibbitt JR.	2687-005

22208  
ROBERTS ABOKHAIR & MARDULA  
SUITE 1000  
11800 SUNRISE VALLEY DRIVE  
RESTON, VA 20191

CONFIRMATION NO. 1880  
FORMALITIES LETTER



\*OC000000012558353\*

Date Mailed: 05/06/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$86** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$536** for a Small Entity

07/30/2004 FFANAIAR 00000090 10772163  
02 FC:2001 385.00 OP  
03 FC:2201 86.00 OP  
04 FC:2051 65.00 OP

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$86**

- \$86 for 2 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Alie Resfarge

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Wilmer L. SIBBITT, Jr.

Appln. No.: 10/772,163

Group Art Unit: 3763

Filed: Feb. 3, 2004

Examiner: Not known

Title: Multidiameter Syringe Families

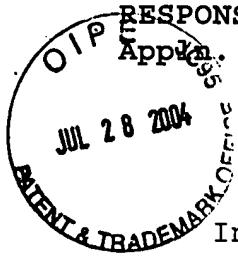
**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As a response to the *Notice to File Missing Parts of Nonprovisional Application* mailed on May 6, 2004, please find the following:

1. Return copy of the *Notice to File Missing Parts of Nonprovisional Application* dated May 6, 2004;
2. Combined Declaration and Power of Attorney (executed);
3. Petition for Extension of Time Under 37 C.F.R. 1.136(a);
4. Responsive remarks beginning on page 2 of this paper; and
5. One check in the amount of \$591.00 (\$385.00 statutory basic small entity filing fee, \$86.00 additional claim fees, \$65.00 surcharge for late filing fee or oath, and \$55.00 for petition for extension of time).



RESPONSE TO NOTICE TO FILE MISSING PARTS  
Appn. No. 10/772,163

REMARKS

In response to the *Notice to File Missing Parts of Nonprovisional Application*, Applicant submits herewith a check to pay all required fees and an executed Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63. Applicant respectfully submits that the submitted fee payment and declaration satisfy all outstanding requirements.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

The Director of the U.S. Patent & Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579.

Respectfully submitted,  
ROBERTS ABOKHAIR & MARDULA, LLC

Christopher B. KILNER  
Registration No. 45,381

Roberts Abokhair & Mardula, LLC  
11800 Sunrise Valley Drive  
Suite 1000  
Reston, VA 20191  
(703) 391-2900

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$ 591.00)
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### Complete if Known

Application Number	10/772,163
Filing Date	02/03/2004
First Named Inventor	Wilmer L. Sibbitt, Jr.
Examiner Name	Unknown
Art Unit	3763
Attorney Docket No.	2687-005

### METHOD OF PAYMENT (check all that apply)

Check    Credit card    Money Order    Other    None

Deposit Account:

Deposit Account Number	18-1579
Deposit Account Name	Roberts Abokhair & Mardula, LLC

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385		
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
<b>SUBTOTAL (1)</b>		<b>(\$ 385.00)</b>			

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =		= 0.00
			- 3** =	2 X 43	= 86.00

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		<b>(\$ 86.00)</b>

\*\*or number previously paid, if greater. For Reissues, see above

#### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month	55		
1252 420	2252 210	Extension for reply within second month			
1253 950	2253 475	Extension for reply within third month			
1254 1,480	2254 740	Extension for reply within fourth month			
1255 2,010	2255 1,005	Extension for reply within fifth month			
1401 330	2401 165	Notice of Appeal			
1402 330	2402 165	Filing a brief in support of an appeal			
1403 290	2403 145	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,330	2453 665	Petition to revive - unintentional			
1501 1,330	2501 665	Utility issue fee (or reissue)			
1502 480	2502 240	Design issue fee			
1503 640	2503 320	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))			
1801 770	2801 385	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 120.00)**

(Complete if applicable)

Name (Print/Type)	Christopher B. Kilner	Registration No. (Attorney/Agent)	45381	Telephone	703 391 2900
Signature	<i>Christopher B. Kilner</i>				
Date	7/28/04				

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.